


JANE C. CALDWELL,
Plaintiff,
v.
STEPHEN L. JOHNSON,
Administrator for the United
States Environmental Protection
Agency,
Defendant.

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IT IS THEREFORE ORDERED that the Supreme Court's decision in Burlington Northern & Santa Fe Ry. Co. v. White, 126 S. Ct. 2406 (2006) has no effect on the court's prior analysis.

This the 18th day of June 2007.


United States District Judge